

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

January 6, 2003
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, Lee, Mosher, and Noble

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:04 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Dr. Davidson led the flag salute.

(a) Proclamation of January as Mentoring Month

Mayor Marshall read a proclamation declaring January as National Mentoring Month in Bellevue. The proclamation was received by a representative of the VIBES (Volunteers in Bellevue's Education System) program, a partnership of Bellevue School District and Bellevue Schools Foundation that provides one-on-one mentoring and tutoring for students.

Councilmember Lee recalled that former Councilmember Georgia Zumdieck was a longtime volunteer for the VIBES program. He encouraged citizens to consider participating in this valuable community program.

(b) Energy Star Award Presentation

Parks and Community Services Director Patrick Foran announced that the City has earned the Energy Star Label for City Hall and the Leavitt Building. This award is presented by the U.S. Environmental Protection Agency and the U.S. Department of Energy to recognize energy conservation and energy management efficiency. Mr. Foran noted that receipt of this award demonstrates the City's core value of Stewardship of both natural and financial resources. He commended the Facilities Management and Facilities Planning divisions for their efforts to properly maintain the City's facilities. Mr. Foran introduced and thanked Facilities Manager Steve Sackenreuter and Facilities Planning Manager Frank Pinney.

Mr. Sackenreuter described the City's involvement over the past 18 months in an ICMA pilot project known as *Managing Energy Performance*. He said the City has focused on energy conservation for many years by making investments in building and system modifications to manage the consumption and cost of energy. The City has received \$275,000 in rebates from Puget Sound Energy to offset capital project costs. The City saves a minimum of 3 million kilowatt hours per year and more than \$180,000 annually on electric and gas bills with its energy program. Mr. Sackenreuter said the Energy Star award helps to preserve the potential resale value of the City Hall campus should the City decide to sell it in the future. He thanked Council for supporting this program and employees for their conservation efforts.

Mayor Marshall thanked staff for their energy conservation and management.

3. Communications: Written and Oral: None.
4. Reports of Community Councils, Boards and Commissions: None.
5. Report of the City Manager

City Manager Steve Sarkozy announced that the City closed on its purchase of the Qwest Building on December 23. He noted that Council authorized short-term borrowing, at an estimated interest rate of 1.87 percent, to pay for the acquisition until the long-term debt arrangement is established. Mr. Sarkozy is pleased the City was able to secure an interest rate of 1.71 percent for this transaction, due in part to the City's favorable credit rating.

Mr. Sarkozy said the Access Downtown project is entering a new phase in which HOV lanes on I-405 will be closed for approximately 10 days. He announced that the MyBuildingPermit.com project, a partnership between Bellevue and neighboring jurisdictions to allow online applications for electrical, mechanical, and plumbing permits, is expanding to include more cities. This program enhances customer service for the public and reduces each city's costs as more cities participate. A similar project is under development to provide online access and registration for parks and recreation programs. Deputy Mayor Degginger noted the productivity gains resulting from the implementation of Internet-based technology, freeing staff to focus on reviewing applications and other permit-related activities more efficiently.

6. Council Business

Mr. Creighton invited the public to a meeting of the Downtown Implementation Plan Citizen Advisory Committee at 3:30 p.m. on Thursday, January 9.

Mr. Mosher reported that the pipeline safety bill has been signed by President Bush. Mr. Mosher attended a meeting of the Association of Washington Cities to discuss proposed state legislation regarding annexations.

Deputy Mayor Degginger and Mr. Lee attended the 50Fest Steering Committee meeting.

7. Approval of the Agenda

➡ Mr. Lee moved to approve the agenda, and Mr. Mosher seconded the motion.

➡ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

➡ Deputy Mayor Degginger moved to approve the Consent Calendar, and Mr. Mosher seconded the motion.

➡ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

- (a) Minutes of November 25, 2002 Extended Study Session
Minutes of December 2, 2002 Study Session
Minutes of December 2, 2002 Regular Session
Minutes of December 9, 2002 Study Session
Minutes of December 9, 2002 Regular Session
- (b) Motion to approve payment of claims for the period ending December 10, 2002, and payroll for the period November 16 through November 30, 2002.
- (c) Motion to approve payment of claims for the period ending December 24, 2002, and payroll for the period December 1 through December 15, 2002.
- (d) Motion to waive a minor bid irregularity and to award Bid No. 0253 for replacement of the HVAC system at the Bellevue Service Center in the amount of \$143,180 to Crescent Sheet Metal, Inc., as low bidder.
- (e) Resolution No. 6799 approving settlement of a claim for property damage at 12620 NE 7th Street resulting from the structural failure of the water main line in the amount of \$23,244.39.
- (f) Resolution No. 6800 authorizing the execution of a professional services contract with Rx America as the City's third-party prescription drug administrator.
- (g) Resolution No. 6801 authorizing the execution of an addendum to the existing Interlocal Agreement with the City of Renton for temporary housing of inmates awaiting transfer to the Yakima County Jail, raising overnight stay expenses from \$50 to \$58.80 per inmate.
- (h) Resolution No. 6802 authorizing the execution of an agreement with the King County Department of Transportation to underwrite up to \$430,000 in costs associated with the implementation of the Market-Based Trip Reduction Incentive Program.

- (i) Motion to award Bid No. 0256 to replace generator receptacle connections at 30 wastewater pump station sites and on four portable generators to meet current code requirements in the amount of \$65,944.01 to Prime Electric, Inc., as low bidder. (CIP Plan No. S-51)
- (j) Motion to award Bid No. 0257 to install emergency generator connections at three water pump facilities and to replace the existing emergency generator connection at the Cougar Mountain No. 3 pump station, to enable these facilities to continue operation during power outages, in the amount of \$58,009.98 to BMW Constructors, Inc., as low bidder. (CIP Plan No. W-94)
- (k) Resolution No. 6803 certifying the existence of an emergency and authorizing staff to waive the contract bidding process for the construction of emergency repairs to a collapsed storm detention vault in the *Compton Trails neighborhood*.
- (l) Resolution No. 6804 adopting the 2002 Comprehensive Wastewater Plan.

In reference to agenda item 8(h), Councilmember Lee noted that Cathy Cole, Executive Director of the regional Commuter Challenge program, passed away last week. Donations in her memory may be made to Habitat for Humanity. Ms. Cole was a longtime staff member of the Economic Development Council of Seattle and King County.

9. Public Hearings

- (a) Public Hearing on a request to vacate portions of SE 28th Street and 145th Avenue SE

Nora Johnson, Transportation Assistant Director, provided the staff report on the proposed vacation of portions of SE 28th Street and 145th Avenue SE. The City received a petition for the street vacations from Bellevue Community College on October 4. Tonight's public hearing is an opportunity for citizens to comment on the proposal. If the street vacation is approved, the City will be compensated for the property. Due to recent changes in state law and Bellevue City Code, the City will be compensated for 100 percent of the property's value (approximately \$400,000). Considerations for Council, established in the City Code, are related to the benefits and costs of continuing the current use versus vacating the property and changing the use. Objections and/or concerns from adjacent property owners should be considered as well.

Ms. Johnson said tonight's public hearing was set by Council on December 9, 2002. The public hearing was noticed at the site, by mail to all property owners within 300 feet, and in the local newspaper.

Ms. Johnson described the proposal to vacate portions of SE 28th Street and 145th Avenue SE. Bellevue Community College owns all of the adjacent property and proposes building a parking garage on the site. Staff recommends two conditions: 1) The Utilities Department requested a 15-foot easement for an existing water line. If the street vacation is approved, the Transportation

Department will require the applicants to provide recorded documents for the utility easement, and 2) Maintain the trail easement along SE 28th Street and provide a trail easement along 145th Avenue SE to continue neighborhood access to the City's trail system (Mountain to Sound Greenway).

Ms. Johnson said two residents called City staff with questions and concerns prior to tonight's hearing. The residents were invited to comment during the public hearing.

Responding to Mr. Degginger, Ms. Johnson said access to BCC's proposed parking garage is situated to the south of the garage according to the plans she has been shown.

Responding to Mayor Marshall, Ms. Johnson said the notice to homeowners provided the location of the street vacation and a contact person at City Hall. Mrs. Marshall questioned whether BCC will be required to notify adjacent residents about its proposal to build a parking garage. Ms. Johnson did not know the noticing requirements applicable to BCC. She noted the City has a special agreement with BCC to review developments, including the proposed parking garage, on the BCC campus. State agencies typically are able to build what they want without a city's review.

➡ Deputy Mayor Degginger moved to open the public hearing, and Mr. Mosher seconded the motion.

➡ The motion to open the public hearing carried by a vote of 7-0.

The following citizens came forward to comment on the proposal:

- 1) Vicki Clinton lives in Robinsview, north of BCC's softball field and track, and her parents live in Sunset Ranch. She expressed concern about past actions by BCC, including the construction of a parking lot directly behind residents' homes. Ms. Clinton alleged that BCC has not followed up on promises regarding landscaping, appropriate light placement, and other neighborhood mitigation issues. She said BCC does not inform residents about planned projects. Ms. Clinton asked the City to consider putting some of the money to be gained from the street vacation back into the adjacent neighborhood. She suggested the construction of a sound wall to protect residents from the impacts of development at BCC. Ms. Clinton invited Councilmembers to visit the site.
- 2) Jeff Hummer lives in Sunset Ranch. He concurred with Ms. Clinton's comments. Mr. Hummer attended the last community meeting sponsored by BCC to discuss the proposed parking garage. King County Councilmember Rob McKenna spoke at the meeting on his behalf. Mr. Hummer said BCC representatives assured residents that landscaping and other mitigation measures would be provided but the projects have not been completed. He said BCC's growth has led to restricted parking in the neighborhood, even for residents. Mr. Hummer echoed Ms. Clinton's request that the City utilize the street vacation proceeds for neighborhood mitigation.

In response to Deputy Mayor Degginger, Mr. Hummer showed Council where the requested plantings were to be placed.

Mayor Marshall asked Barbara Martin, a BCC representative, to come forward and respond to questions. In response to Mrs. Marshall's previous questions, Ms. Martin said BCC is not required to provide public notice about construction projects. However, an open house was held on campus last June to discuss several projects and approximately 75-100 residents attended. BCC purchased one residence to be affected by the proposed garage and continues negotiations to purchase two additional residences. Ms. Martin said the college is growing to meet the Eastside's growing needs and the parking garage is intended to keep cars out of the adjacent neighborhood.

Ms. Martin offered to meet with residents to more fully discuss the plantings. She explained that BCC's side of the property line does not have adequate space for the plantings and the plan was to place plantings on the property owners' side of the fence. BCC subsequently ran into liability concerns with the Attorney General's Office regarding a draft agreement related to the plantings. Ms. Martin indicated that an employee working on this issue is no longer employed with BCC, so she is not fully informed on how the issue was handled.

Responding to Mr. Degginger, Ms. Martin said there will be three entrances into the parking garage, all of which will be located on the campus side of the garage.

Mayor Marshall thanked Ms. Martin for attending the meeting.

- 3) Tom Clinton asked whether the parking garage project has received final approval. He asked why this particular site was chosen for the garage when BCC has acres of available land as well as parking lots that are often partially empty. Mr. Clinton is concerned that every new BCC project degrades the value of nearby homes. He described the noise from bus and vehicle traffic, which was not present when he originally bought his home.
- 4) Tom Johnson lives two doors from BCC's lot, directly adjacent to the trail. He moved into the neighborhood in 1963. Mr. Johnson said the property proposed for vacation has always been a trail/park use and has never been a road for vehicle access.
- ➡ Dr. Davidson moved to close the public hearing, and Mr. Mosher seconded the motion.
- ➡ The motion to close the public hearing carried by a vote of 7-0.

Ordinance No. 5428 determining the public advantages in vacating and authorizing the vacation of public right-of-way along portions of SE 28th Street and 145th Avenue SE, subject to certain conditions.

Deputy Mayor Degginger was reluctant to vote on Ordinance No. 5428. He requested additional information about prior agreements between BCC and residents regarding landscape buffers and any other issues involving the proposed parking garage and neighborhood impacts.

Dr. Davidson concurred with Mr. Degginger's request for more information on the proposed parking garage and neighborhood mitigation measures. Councilmembers Lee and Mosher voiced their support to postpone action on Ordinance No. 5428.

Responding to Mr. Degginger, Ms. Johnson said the money to be paid by BCC to the City for the street vacation will be placed into the Land Purchase Revolving Fund. This fund is used for property purchases needed for different projects around the city.

Mayor Marshall asked staff to reschedule discussion and action on Ordinance No. 5428.

10. Land Use: None.
11. Other Ordinances, Resolutions and Motions: None.
12. Unfinished Business: None.
13. Continued Oral Communications: None.
14. New business: None.
15. Executive Session: None.
16. Adjournment

At 9:02 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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